

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**April 14, 2000**

DIVISION THREE

B134566 People (Not for Publication)  
v.  
Mulder

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

[illegible]

The judgment is affirmed.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

DIVISION FOUR

B134685      In re: Lukas B. et al.  
 Los Angeles County, D.C.F.S.  
 v.  
 Rungsun B.

Filed order certifying opinion for publication.

April 14, 2000-Continued

DIVISION FOUR (Continued)

B135312 People v. Brown (Not for Publication)

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

B132211 People (Not for Publication)  
v.  
Love

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.  
Epstein, J.

DIVISION FIVE

B130625      21st Capital Corporation      (Not for Publication)  
v.  
City of Los Angeles

The judgment is reversed. Appellant(s) to recover costs.

Grignon, Acting P.J.

We concur:    Armstrong, J.  
                         Godoy Perez, J.

DIVISION FIVE (Continued)

B135940      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Laura C.  
In re Thelma H.

The judgment is affirmed.

Grignon, J.

We concur:    Turner, P.J.  
                  Armstrong, J.

B133627      Murray Plumbing and Heating Corp.      (Not for Publication)  
v.  
Royal Insurance Company of America

The judgment is reversed. Royal is to pay Murray's costs on appeal.

Grignon, J.

We concur:    Turner, P.J.  
                  Godoy Perez, J.

B129989      People      (Not for Publication)  
v.  
Ricky Brito

The judgment is affirmed.

Grignon, J.

We concur:    Turner, P.J.  
                  Godoy Perez, J.

April 14, 2000-Continued

## DIVISION FIVE (Continued)

[illegible]

The judgment is modified by vacating defendant's conviction for attempted burglary. As modified, the judgment is affirmed.

Grignon, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

B129362      Richard P. Boggs      (Not for Publication)  
v.  
Larry Bakman

The judgment is reversed. Attorney Bakman is to pay Boggs's costs on appeal.

Grignon, Acting P.J.

We concur:    Armstrong, J.  
                         Godoy Perez, J.

B129442      People                                  (Not for Publication)  
v.  
Donte Smith et al.

The judgments are modified to reflect the imposition of the Penal Code section 1202.45 parole restitution fines in the sum of \$5,000 as to each defendant as discussed in the body of the opinion. The judgments are affirmed in all other respects.

Turner, P.J.

I concur: Grignon, J.  
I concur and dissent (opinion): Armstrong, J.

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J. and Emma Jean Amos, Deputy Clerk.

Each of the following:

B133661 D.C.F.S. v. Audrey P.  
B132192 D.C.F.S. v. Leigh H.  
B134450 D.C.F.S. v. Melissa C.  
B131345 Monteilh v. Bank of America

Argument waived, cause submitted.

B133434     Lazo-Ruderis  
              v.  
              Lockett

Appearances:  
James E. Blancarte for appellant and by Warren Leigh Gilbert for  
respondent. Argument waived, cause submitted.

B130024     Encell  
              v.  
              Motel 6 Operating

Merits:  
Argued by Edward Steinbrecher for respondent and no appearance by  
counsel for appellant. Cause submitted.

B131028     Cannady  
              v.  
              North American Mortgage, Inc.

Merits:  
Argued by Robert C. Burlison for appellant and by George J. Keller for  
respondent. Cause submitted.

DIVISION SEVEN (Continued)

B133630     Hamilton

v.

L.A. County Metropolitan Transit Authority

Merits:

Argued by Bennett Rolfe for appellant and by Calvin House for respondent.  
Cause submitted.

B135140     Tolwin

v.

Cedars-Sinai Medical Center

Merits:

Argued by John D. Harwell for appellant and by Gordon Simonds for  
respondent. Cause submitted.

B124544     Hart

v.

Progressive Casualty Insurance Company

Oral argument continued to May 5, 2000 at 9:00 A.M.

B132935     Sanwa Bank Limited

v.

Huang

Appearances:

Daniel P. Delaney for appellant and no appearance by counsel for  
respondent. In open court submission deferred for 30 days. The parties  
must settle within 30 days and file a request for dismissal, or the opinion  
will be filed without oral argument.

Court recessed at 9:40 A.M.

DIVISION SEVEN (Continued)

Court reconvened at 10:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J. and Emma Jean Amos, Deputy Clerk.

B125183      Lugo  
                  v.  
                  Bank of America et al.

Merits:

Argued by Arnold Casillas for appellant and by Jennifer R. Jacobs for respondents. Cause submitted.

B129840      Mosquera  
                  v.  
                  ARG Enterprises, Inc.

Merits:

Argued by Paul J. Shardlow for appellant and by Marla A. Brown for respondent. Cause submitted.

B132950      Farmers Insurance Exchange  
                  v.  
                  Martinez

Merits:

Argued by Joel Drum for appellant and no appearance by respondent. Cause submitted.

B115442      Quackenbush  
                  v.  
                  New Mexico Life Insurance Guaranty Association

Merits:

Argued by Victor R. Marshall for appellant and by Thomas J. Welsh for respondent. Cause submitted.

Court adjourned at 11:03 A.M.

DIVISION SEVEN (Continued)

Court reconvened at 2:00 P.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J. and Emma Jean Amos, Deputy Clerk.

B130985     Harvey  
              v.  
              United Services Automobile Association

Merits:

Argued by James E. Loveder for appellant and by John D. Rowell for respondent. Cause submitted.

B133927     Sabir  
              v.  
              Bette Day  
              Robert Day

Merits:

Argued by Cary W. Goldstein for appellant and by David Cordier and Lora Silverman for respondents. Cause submitted.

B130691     Norville  
              v.  
              O'Fria et al.

Merits:

Argued by Robert O. Miller for appellant and by Lloyd K. Chapman for respondents. Cause submitted.

B135789     Merco Construction Engineers  
              v.  
              City of Santa Monica  
              Pacific Mechanical Corporation

Merits:

Argued by Bernard Kamins for appellant and by Cara E. Silver, deputy city attorney, for respondent and by William Barrett for respondent. Cause submitted.



DIVISION SEVEN (Continued)

B130016     Masada  
              v.  
              Roy Kavim, Inc.

Merits:  
Argued by Nate Kraut for appellant and by David C. Wheeler for  
respondent. Cause submitted.

B135851     Melamed  
              v.  
              Medical Board of California

Appearances:  
Steven Paine for appellant and by Richard Avila, deputy attorney general,  
for respondent. In open court the parties stated that the matter was settled.  
The court informed the parties to file a dismissal within 60 days, or the  
cause would be submitted without oral argument.

Court adjourned at 3:55 P.M.

B119389     Greenwald  
              v.  
              Mattel, Inc.

Filed order denying petition for rehearing.

B124621     Noval  
              v.  
              Tao

Filed order denying petition for rehearing.

B126446     Kellum  
              v.  
              Los Angeles County Employees Retirement Assn.  
              Internal Services Department, County of Los Angeles, r.p.i.

Filed order granting petition for rehearing.